

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

MAJED ABDULLAH MALIKI,

Plaintiff,

v.

CIVIL ACTION NO. 2:16-cv-06289

VIENNA WV POLICE DEPARTMENT, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Before the Court are Defendants' unopposed Motion to Dismiss, (ECF No. 6), and unopposed Motion to Dismiss for Failure to Prosecute, (ECF No. 9). Because Plaintiff proceeds pro se, this action was previously referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition ("PF&R"). (ECF No. 3.) Magistrate Judge Tinsley filed his PF&R on May 26, 2017, recommending that the Court grant the motions and dismiss this matter pursuant to Federal Rules of Civil Procedure 41(b) and 12(b)(6). (ECF No. 15.)


The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and a party's right to appeal this Court's order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Objections to the PF&R in this case were due on June 12, 2017. To date, no objections have been filed. The Court therefore **ADOPTS** the PF&R, (ECF No. 15), and **GRANTS** Defendants' Motion to Dismiss, (ECF No. 6), and Motion to Dismiss for Failure to Prosecute, (ECF No. 9). Further, the Court **DISMISSES** this case, and **DIRECTS** the Clerk to remove this action from the Court's docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 14, 2017



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE